

Serial No.: 10/672,899

Attorney Docket No.: 2003P08215US

REMARKS

Upon entry of the instant Amendment, Claims 1-18 are pending. Claims 19 and 20 have been canceled. Claims 1, 7, 12, and 18 have been amended to more particularly point out Applicants' invention. The Specification has been amended to provide serial numbers for related cases. No new matter has been added.

Claims 1-3 and 5-16 were rejected under 35 U.S.C. §102(e) as being anticipated by Murray, U.S. Patent No. 6,484,033 ("Murray"). In order for there to be anticipation, each and every element of the claimed invention must be present in a single prior reference. Applicants respectfully submit that the claimed invention is not taught, suggested, or implied by Murray.

As described in the Specification, aspects of the present invention relate to a system including a positioning system and a presence and availability system. The system is able to use inputs from the positioning system and the presence system to determine an availability of a user on a plurality of devices, based on user-input presence and location associations. Thus, claim 1 has been amended to recite "wherein said location-presence rules define user availability on a plurality of user devices;" claim 7 has been amended to recite "wherein said location and presence correlation rules define user availability on a plurality of user devices;" and claim 14 has been amended to recite "wherein said positioning and presence correlation rules define user availability on a plurality of user devices."

In contrast, Murray merely relates to a pager system that has a calendar service, rather than a service that define availability on a plurality of particular devices using location and presence rules as generally recited in the claims at issue. In Murray, another user is telephoned if a device is determined not to be able to return to an available conference site in time for the conference. However, the user in Murray is not able to set presence and availability correlations associated with a plurality of the user's

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devices, as generally recited in the claims at issue. If he is not able to make it back, then he is not available at all; other users are not able to contact him. In contrast, in embodiments of the present invention, users are able to make use of the presence and location correlation rules to determine where he is available. As such, the Examiner is respectfully requested to reconsider and withdraw the rejection.

Claim 17 has been rejected under 35 U.S.C. 103(a) as being unpatentable over Murray. As discussed above, Murray does not teach, suggest, or imply the invention of the underlying claims. As such, Applicants respectfully submit that it likewise does not teach the invention of the dependent claim 17. As such, the Examiner is respectfully requested to reconsider and withdraw the rejection.

Claims 4 and 18-20 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Murray in view of Rangarajan, et al., U.S. Patent No. 6,757,544 ("Rangarajan"). Claims 19 and 20 have been canceled. Claim 18 has been amended to recite "wherein said positioning signals comprise global positioning system signals; and wherein the location and presence correlation parameters define an availability of a user at a plurality of devices at a plurality of locations." Murray has been discussed above. Rangarajan is relied on merely for allegedly teaching user interfaces.

Claim 4 depends from claim 1 and thus, like claim 1 and claim 18, as amended, relates to location and presence correlation parameters or rules that define an availability of a user at a plurality of devices at a plurality of locations. For reasons similar to those discussed above, Applicants submit these claims likewise are allowable. In particular, as noted above, Murray does not relate to a presence system that defines user availability in a plurality of contexts, as generally recited in the claims at issue; Rangarajan relates merely to using an interface to make service requests and thus likewise fails to teach such a system. As such, the Examiner is respectfully requested to reconsider and withdraw the rejection.

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For all of the above reasons, Applicants respectfully submit that the application is in condition for allowance, which allowance is earnestly solicited.

Date: 3 Nov. 05

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